

**VIRGINIA BOARD OF NURSING  
MINUTES  
November 15, 2011**

TIME AND PLACE: The meeting of the Board of Nursing was called to order at 8:30 A.M. on November 15, 2011 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

PRESIDING: Patricia M. Selig, R.N., F.N.P., Ph.D., President

BOARD MEMBERS PRESENT:  
Evelyn Lindsay, LPN; Secretary  
Louise Hartz, Citizen Member  
John M. Horn, LPN  
Jane R. Ingalls, RN, CNS, PhD  
Karen K. Schultz, PhD, MBA, Citizen Member  
William Traynham, LPN

STAFF PRESENT: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director  
Jodi P. Power, R.N., J.D., Deputy Executive Director  
Brenda Krohn, R.N., M.S., Deputy Executive Director  
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director  
Tomeka Dowling, R.N., M.S, Nursing Education Consultant  
Ann Tiller, Compliance Manager  
Amy Davis, Executive Assistant

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney General  
Corie Wolf, Assistant Attorney General  
Amanda Blount, Adjudication Specialist

ESTABLISHMENT OF A QUORUM: With seven members of the Board present, a quorum was established.

Corie Wolf, Assistant Attorney General, presented evidence that the continued nurse aide practice of Lori Long, 1401-064300 and Katelyn Crawley, 1401-123870 may present a substantial danger to the health and safety of the public.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 8:37 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Long and Ms. Crawley. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Ms. Power, Ms. Tiller, Ms. Dowling, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 9:12 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

**ACTION:**

Mr. Traynham moved to summarily suspend the nurse aide certificate of Lori Long pending a formal administrative hearing. The motion failed.

Dr. Ingalls moved to summarily suspend the nurse aide certificate of Katelyn Crawley pending a formal administrative hearing. The motion failed.

**ADJOURNMENT:**

The meeting was adjourned at 9:15 A.M.

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Brenda Krohn, RN, MS  
Deputy Executive Director

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**PRESIDING:** Patricia M. Selig, RN, FNP, PhD; President

**BOARD MEMBERS PRESENT:**

Joyce A. Hahn, PhD, APRN, NEA-BC; Vice President  
Evelyn Lindsay, LPN; Secretary  
Allison Gregory, RN, LNP  
Louise Hartz, Citizen Member  
Jeanne E. Holmes, Citizen Member (joined later)  
John M. Horn, LPN  
Jane R. Ingalls, RN, CNS, PhD  
Florence Jones- Clarke, RN, MS  
Patricia C. Lane, RN, MS (joined later)  
Trula E. Minton, MS. RN  
Karen K. Schultz, PhD, MBA, Citizen Member  
William Traynham, LPN

**STAFF PRESENT:** Jay P. Douglas, RN, MSM, CSAC; Executive Director  
Jodi P. Power, RN, JD; Deputy Executive Director  
Brenda Krohn, RN, MS; Deputy Executive Director  
Gloria D. Mitchell, RN, MSN, MBA; Deputy Executive Director  
Paula B. Saxby, RN, PhD; Deputy Executive Director  
Tomeka Dowling, RN, MS; Nursing Education Consultant  
Linda Kleiner, RN; Discipline Case Manager  
Ann Tiller, Compliance Manager  
Amy Davis, Executive Assistant

**OTHERS PRESENT:** Howard M. Casway, Senior Assistant Attorney General  
Elaine Yeatts, Policy Analyst, Department of Health Professions  
Lauren Goodloe, representative from Virginia Nurses Association  
Tia Campbell, representative from Department of Education

**ESTABLISHMENT OF A QUORUM:** With eleven members of the Board present, a quorum was established.

**ANNOUNCEMENTS:**

- Resignation of Joseph Schibner, CMT; Massage Therapy Advisory Board Chair. Appointment of Interim Chair, Kristina Wright, CMT

**ORDERING OF AGENDA:** The agenda was reviewed and ordered.

CONSENT AGENDA: The Board did not remove any items from the proposed consent agenda. Ms. Hartz moved to accept the consent agenda which included the following. The motion was seconded and carried unanimously.

Minutes:

|                    |  |
|--------------------|--|
| September 12, 2011 | Panel – Dr. Hahn                                 |
| September 13, 2011 | Quorum – Dr. Selig – Summary Suspension          |
| September 13, 2011 | Quorum – Dr. Selig                               |
| September 14, 2011 | Quorum – Dr. Selig                               |
| September 14, 2011 | Panel – Dr. Selig                                |
| September 14, 2011 | Panel – Ms. Lindsay                              |
| September 15, 2011 | Panel – Dr. Selig                                |
| October 17, 2011   | Massage Therapy Advisory Board                   |
| October 12, 2011   | Joint Boards of Nursing and Medicine – Dr. Selig |
| November 7, 2011   | Telephone Conference Call – Dr. Selig            |

Reports:

Agency Subordinate Tracking Log  
Board of Nursing Monthly Tracking Log-Licensure & Disciplinary Statistics  
NCLEX Reports RN and LPN – Dr. Saxby and Ms. Dowling

Ms. Lane joined the meeting.

REPORTS:

**DHP Agency Efficiency Committee:**

Ms. Douglas reported various internal DHP committees are working on reviewing processes to increase efficiency. No final outcomes are available at this time.

**NCLEX Member Board Review:**

Dr. Hahn reported on her visit to a PearsonVue test site in Vienna, Virginia on October 31, 2011. She stated the security process was very strict, included a photograph, fingerprinting and palm printing. There were 360 questions on the sample examination in which she reported were fair and comprehensive. She encouraged other Board members to go through this experience.

Dr. Saxby added that Board members are afforded the opportunity to visit a test site each spring and fall and to let her know if interested in order for arrangements for a date and site to be made.

OTHER MATTERS:

**Consideration of Department of Education Revisions to Glucagon and Insulin Manual for use in schools:**

Tia Campbell, School Health Specialist with the Virginia Department of Education was present and provided an overview of the suggested revisions to the manual that was created in 1999. Ms. Campbell reviewed the re-organization of the information and additional content included, but not limited to levels of training for staff; gestational diabetes; and calculating doses. Questions from Board members were addressed by Ms. Campbell. Dr. Selig noted she and Ms. Krohn reviewed the revised manual and will submit the minor recommendations for inclusion. Specifically, she noted concerns

regarding safety issues related to second validation on calculating insulin; hypoglycemia section to include how long before calling emergency.

The Board expressed its appreciation to Ms. Campbell for her efforts on the manual revisions. Ms. Hartz moved to accept the revised manual for training public school employees in the administration of insulin and glucagon. The motion was seconded and carried unanimously.

#### REPORTS:

##### **Discipline Committee Recommendations:**

Mr. Horn reviewed the minutes of the meeting held September 14, 2011 wherein compliance issues were raised regarding persons under probation orders for extensive monitoring. Discussion regarding recommendation 1 regarding the process for handling long-term probationers who have not met work requirements and recommendation 2 regarding preventing long-term probation monitoring in the future by amending Guidance Document 90-35. Ms. Hartz moved to accept recommendations 1 and 2 and to amend Guidance Document 90-35 as proposed. The motion was seconded and carried unanimously.

Discussion regarding recommendation 3 regarding consistent method of documenting successful completion and termination of probation terms by amending Guidance Document 90-12. Ms. Hartz moved to accept recommendation 3 and to amend Guidance Document 90-12 as proposed. The motion was seconded and carried unanimously.

Mr. Horn reviewed future topics for discussion of the Discipline Committee and asked for the Board to give direction on three issues; denial of applicants based upon non-appearance at proceedings; issuing multiple reprimands to the same respondent/licensee; and handling social media cases. Ms. Gregory moved to refer all three topics to the Discipline Committee for additional study. The motion was seconded and carried unanimously.

#### OPEN FORUM:

There was no one present that wished to address the Board during the Open Forum.

##### **Board Counsel Update on Appeals:**

Mr. Casway reported on the five pending appeals regarding Board of Nursing cases:

- Tania Lee, CNA Reinstatement Applicant – Appeal to Fauquier County Circuit Court. The appeal was dismissed and the Court affirmed the Board of Nursing action on the finding of abuse and neglect. Time has expired on appealing to the Court of Appeals.
- Sylvester Britt, RN – The hearing is scheduled for February 2012 in Portsmouth Circuit Court.
- Colby Mansell, RN – The respondent's attorney requested a continuance for the hearing date set for January 30, 2012. No new date has been set at this time.
- Nina Morrison, RN – Mr. Casway has filed a plea in bar challenging jurisdiction which is pending in the Henrico County Circuit Court.

- Darlene Bamaiyi, CNA Endorsement Applicant and Reinstatement Applicant – The cases were consolidated in October 2011 by the Hampton Circuit Court. A hearing date has not been set at this time.

RECESS: The Board recessed at 9:50 a.m.

RECONVENTION: The Board reconvened at 10:00 a.m.

**Video Message from Governor McDonnell:**

The Board viewed a video message from Governor McDonnell, expressing his appreciation for Board members serving on the Board of Nursing.

LEGISLATION/REGULATION:

**Status of Regulatory Actions:**

Ms. Yeatts reviewed the pending regulatory action for the Board of Nursing.

- Regulations regarding continued competency requirements are at the Governor's Office
- Regulations regarding requirements for approval of nursing education programs are at the Secretary's Office
- Regulations regarding provisional licensure to obtain clinical experience are at the Secretary's Office
- Regulation regarding review of regulations for clinical nurse specialist are at the Secretary's Office
- Regulations regarding failure to report abuse grounds for disciplinary action are at the Secretary's Office

Ms. Yeatts reported the regulations regarding consistency with Compact rules on licensure and regulations regarding elimination of prior licensure requirements for foreign-educated applicants will be effective December 22, 2011.

BOARD MEMBER TRAINING:

**Revised Sanction Reference Point Manual and DHP Policy 76-3.2:**

Kim Langston with VisualResearch, Inc. provided an overview of the revised sanction reference point manual indicating the importance of using the correct worksheet. Examples of actual nursing worksheets were reviewed as an exercise in the correct use of the worksheets.

Ms. Langston reported the agreement rate since the sanction reference point program was initiated in 2005 is 74% for nursing cases and 96% for nurse aide cases.

Ms. Yeatts left the meeting.

OTHER MATTERS:

**Election of Nominating Committee:**

Dr. Selig stated Nominating Committee members are needed to meet to prepare a slate of candidates for the office of President, Vice President and Secretary. The slate will need to be provided to Board members at least 30 days prior to the election which will take place at the Board meeting in January 2012. Ms. Jones-Clarke, Dr. Schultz and Mr. Traynham volunteered to serve on the Committee. Ms. Lindsay moved to elect the members that volunteered

to serve as the Nominating Committee. The motion was seconded and carried unanimously.

**Board of Health Professions:**

Ms. Gregory reported on the Board of Health Professions meeting held on October 24, 2011. She reported there are several appointments to the Board of Health Professions to be made. In addition, she reported a study of nurse practitioner scope of practice and team based models of health care delivery is being developed and will be examined separately.

**EDUCATION:**

**Education Special Conference Committee:**

Dr. Hahn reviewed items of interest from the November 9, 2011 minutes of the Education Special Conference Committee that included a continuance was granted to ECPI in order for the Committee to thoroughly review the large volume of additional information brought to the informal conference. The informal conference will be rescheduled for January 18, 2012. Ms. Lane moved to accept the minutes. The motion was seconded and carried unanimously.

**2012 NNAAP Skills Exam:**

Dr. Saxby reviewed the proposed revisions to the NNAAP skills exam for nurse aides that include removal of three skills: make an occupied bed; fingernail care; and two-step procedure for measuring and recording blood pressure. Modifications to other skills were reviewed. Ms. Hartz moved to accept the changes regarding the NNAAP skills exam. The motion was seconded and carried unanimously. PearsonVue and Board of Nursing staff will plan training sessions in the spring of 2012 to nurse aide education programs in different locations with an implementation date of July 1, 2012.

**Consideration of Draft Guidance Document Regarding Clinical Placement and Supervision:**

Dr. Saxby reviewed the draft guidance document on the use of clinical learning experiences in nursing education programs to clarify some of the confusion with the role and expectations of faculty, preceptors and facilities while nursing students are involved with their clinical experiences. Examples of policies from North Carolina, Oklahoma and Texas were provided. Ms. Gregory moved to refer this issue to the ad hoc Education Committee for additional review. The motion was seconded and carried unanimously. Ms. Gregory, Dr. Hahn, Dr. Ingalls and Ms. Lindsay will serve on the committee.

**CONSIDERATION OF CONSENT ORDERS:**

**CLOSED MEETING:**

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 12:10 P.M. for the purpose of deliberation to consider consent orders. Additionally, Ms. Lindsay moved that Ms. Tiller, Ms. Douglas, Ms. Krohn, Ms. Power, Ms. Mitchell, Dr. Saxby, Ms. Dowling, Ms. Kleiner, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

**RECONVENTION:**

The Board reconvened in open session at 12:15 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

**Judy O'Brien, LPN 0002-053526**

Ms. Hartz moved to accept the consent order to accept the voluntary surrender for indefinite suspension of the right to renew the practical nurse license of Judy O'Brien. The motion was seconded and carried unanimously.

**Paular Paul, CNA 1401-125390**

Ms. Hartz moved to accept the consent order to revoke the nurse aide certificate of Paular Paul. The motion was seconded and carried unanimously.

**Katherine M. Rose, LPN 0002-025151**

Ms. Hartz moved to accept the consent order to accept the voluntary surrender for indefinite suspension of the practical nurse license of Katherine Rose. The motion was seconded and carried unanimously.

**Deborah A. Toy, LPN 0002-044194**

Ms. Hartz moved to accept the consent order to accept the voluntary surrender for indefinite suspension of the practical nurse license of Deborah Toy. The motion was seconded and carried unanimously.

**Cimberly Meredith, LPN 0002-051651**

Ms. Hartz moved to accept the consent order to accept the voluntary surrender for indefinite suspension of the practical nurse license of Cimberly Meredith. The motion was seconded and carried unanimously.

**Alecia Beatty, RN 0001-168060**

Ms. Hartz moved to accept the consent order to accept the voluntary surrender for indefinite suspension of the right to renew the practical nurse license of Alecia Beatty. The motion was seconded and carried unanimously.

**Jonathan Cardoza, RN Multi-state Privilege (SC license R210074)**

Ms. Hartz moved to accept the consent order to indefinitely suspend the multi-state privilege of Jonathan Cardoza to practice as a professional nurse in Virginia. The motion was seconded and carried unanimously.

**Bobbie J. Coutlis, LPN 0002-053508**

Ms. Hartz moved to accept the consent order to reprimand Bobbie Coutlis and to indefinitely suspend the practical nurse license of Ms. Coutlis and stay the suspension contingent upon her continued compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

**Janet S. Neice, RN 0001-152706**



Ms. Hartz moved to accept the consent order to indefinitely suspend the professional nurse license of Janet Neice. The motion was seconded and carried unanimously.

**Valerie N. Looney, RN 0001-202147**

Ms. Hartz moved to accept the consent order to indefinitely suspend the professional nurse license of Valerie Looney. The motion was seconded and carried unanimously.

RECESS: The Board recessed at 12:15 P.M.

RECONVENTION: The Board reconvened at 1:00 P.M.

**CONSIDERATION OF RECOMMENDATIONS REGARDING APPLICANTS:**

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:02 P.M. for the purpose of deliberation to consider recommendations regarding applicants. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Power, Ms. Mitchell, Dr. Saxby, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 1:06 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

**Christopher Carter, LPN Applicant**

Ms. Gregory moved to accept the recommended decision of the agency subordinate to reprimand Christopher Carter and approve the application for licensure as a practical nurse by endorsement contingent upon his entry into and compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

**Lindsey Livingston, LPN Applicant**

Ms. Gregory moved to accept the recommended decision of the agency subordinate to approve the application for practical nurse licensure by endorsement of Lindsey Livingston contingent upon her entry into and compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

**Phylicia Tillett, CNA Applicant**

Ms. Gregory moved to accept the recommended decision of the agency subordinate to reprimand Phylicia Tillett and approve the application for nurse

aide certification by examination. The motion was seconded and carried unanimously.

**Dante Jenkins, CNA Applicant**

Ms. Gregory moved to accept the recommended decision of the informal conference committee to deny the application of Dante Jenkins for certification by examination as a nurse aide. The motion was seconded and carried unanimously

**Michele Chontos, CNA Applicant**

Ms. Gregory moved to accept the recommended decision of the informal conference committee to approve the application of Michele Chontos for certification by examination as a nurse aide contingent upon her continued compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously

**Frances Shelor, RMA Applicant**

Ms. Gregory moved to accept the recommended decision of the informal conference committee to deny the application of Frances Shelor for registration as a medication aide by examination. The motion was seconded and carried unanimously.

**April D. Standfield, CNA Applicant**

Ms. Gregory moved to accept the recommended decision of the agency subordinate to deny the application of April Standfield for certification as a nurse aide by examination. The motion was seconded and carried unanimously

**ADJOURNMENT:**

As there was no additional business, the meeting was adjourned at 1:10 P.M.

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Evelyn Lindsay, L.P.N.  
Secretary

Note - Copies of reports referenced can be obtained by contacting the Board of Nursing office.